

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JORDAN A. GIBBS,

Civil No. 05-1639-ST

Plaintiff,

v.

ORDER

JEAN HILL, Superintendent,
Snake River Correctional
Institution,

Defendant.

MARSH, Judge.

Magistrate Judge Janice M. Stewart filed her Findings and Recommendation on January 2, 2008. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings

and Recommendation #39. The petition for writ of habeas corpus (#1) is denied.

IT IS SO ORDERED.

DATED this 29 day of January, 2008.

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge